

## **Section by Section Explanation**

### **H.R. 4546, the National Oceanic and Atmospheric Administration Act**

#### **BACKGROUND**

The National Oceanic and Atmospheric Administration (NOAA) was established by Executive Order in 1970. At that time Executive Reorganization Plans had the effect of law. Since then, various parts of NOAA have been authorized by Congress, but there is no underlying “organic act” defining the mission and function of the agency.

The Oceans Act of 2000 established the U.S. Commission on Ocean Policy to examine the nation’s ocean policy and make recommendations for improvements. On April 20, 2004 the Commission released its preliminary report, which included 200 recommendations for an improved national ocean policy. One of the recommendations is that Congress should pass an organic act for NOAA. The Commission also suggested organizing NOAA’s functions around specific themes rather than the current line office structure.

H.R.4546 incorporates these recommendations in Title I as a general organic act and by outlining NOAA’s missions and functions under 3 categories: weather, operations and services, and research and education. The bill as introduced does not include NOAA’s activities concerning fisheries management or the Coastal Zone Management Act.

Currently NOAA has a structure of six line offices: the National Ocean Service (NOS), the National Marine Fisheries Service (NMFS), the National Weather Service (NWS), the National Environmental Satellite Data and Information Service (NESDIS), the Office of Oceanic and Atmospheric Research (OAR), and the Office of Program Planning and Integration (PPI). H.R. 4546 provides NOAA the flexibility to perform the functions described in the bill under the current organizational structure or by moving towards a structure that reflects the categories set forth in H.R. 4546.

#### **EXPLANATION OF H.R. 4546**

##### **Section 1. Table of Contents.**

This section provides a table of contents for the bill.

##### **Title I. National Oceanic and Atmospheric Administration.**

##### **Section 101. Short Title.**

The short title of this title is the “National Oceanic and Atmospheric Administration Act.”

##### **Section 102. Definitions.**

This section defines terms used in Title I.

##### **Section 103. National Oceanic and Atmospheric Administration.**

This section establishes the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce. The mission of NOAA is to understand and predict changes in the Earth’s oceans and atmosphere and the effects of such changes on the land environment, to conserve and manage coastal, ocean, and Great Lakes ecosystems, and to educate the public about these topics. This section also describes the overall functions of NOAA to accomplish the

mission, such as through research and development for improved weather forecasting, and collecting scientific data about coastal, ocean, and Great Lakes ecosystems.

#### **Section 104. Administration Leadership.**

This section describes the leadership structure of NOAA and maintains the current makeup of an Undersecretary of Commerce for Oceans and Atmosphere as the Administrator of NOAA, and the Administrator's first assistant is the Assistant Secretary of Commerce for Oceans and Atmosphere. The section also creates a new position, a Deputy Assistant Secretary for Science and Technology, who shall be responsible for coordinating and managing all research activities across the agency and must be a career position.

#### **Section 105. National Weather Service.**

This section directs the Secretary of Commerce to maintain a National Weather Service (NWS) within NOAA. The mission of NWS is to provide weather, water, climate and space weather forecasts and warnings for the United States, its territories, adjacent waters and ocean areas. The functions of NWS include: maintaining a network of regional and local weather forecast offices; maintaining a network of observations system to collect weather and climate data; and conducting research to support these functions.

#### **Section 106. Operations and Services.**

This section directs the Secretary to maintain programs within NOAA to support operational and service functions. These functions would include all the activities of NOAA's National Environmental Satellite Data and Information Service (NESDIS) and the mapping and charting activities of the National Ocean Service. NESDIS functions described in this section include: developing, acquiring, managing, and operating the Nation's operational weather and climate satellite observing systems and managing and distributing atmospheric, geophysical and marine data and data products through national environmental data centers. The National Ocean Service activities include providing maps and charts for safe navigation.

#### **Section 107. Research and Education.**

This section directs the Secretary to maintain programs within NOAA to conduct and support research and education functions. These activities would include all of the functions currently performed by NOAA's Office of Oceanic and Atmospheric Research (OAR), such as conducting and supporting research and the development of technologies relating to weather, climate, and the coasts, oceans, and Great Lakes. This section also describes the education and public outreach functions NOAA should carry out, which include many of the activities performed by NOAA's Office of Education.

#### **Section 108. Science Advisory Board.**

This section establishes a Science Advisory Board for NOAA, which would provide scientific advice to the Administrator and to Congress on issues affecting NOAA.

#### **Section 109: Reports.**

This section requires two reports from the Secretary. Each report is to be delivered to Congress within one year of the date of enactment of the Act. One report should assess the adequacy of

the environmental data and information systems of NOAA and provide a strategic plan to address any deficiencies in those systems.

The other report must provide a strategic plan for research at NOAA. This plan was recommended in a recent review of the research activities at NOAA by its Science Advisory Board.

#### **Section 110. Effect of Reorganization Plan.**

This section repeals the Executive Order that established NOAA in 1970.

### **Title II. Authorization of Appropriations for the National Oceanic and Atmospheric Administration.**

#### **Section 201. Short Title.**

The short title of this title is the “National Oceanic and Atmospheric Administration Authorization Act of 2004.”

#### **Section 202. Authorization of Appropriations.**

This section authorizes appropriations for NOAA’s current line offices (except the National Marine Fisheries Service).

### **Title III. Coastal Ocean Science Program.**

#### **Section 301. Short Title.**

The short title of this title is the “Coastal Ocean Science Program Act of 2004.”

#### **Section 302. Coastal Ocean Science Program.**

This section reauthorizes the Coastal Ocean Science Program at NOAA and requires all research performed under the Program to be competitive and peer-reviewed. This section authorizes such sums as necessary in appropriations for the program.

### **Title IV. Marine Research.**

#### **Section 401. Short Title.**

The short title of this title is the “Marine Research Act.”

#### **Section 402. Purposes.**

This section describes the purposes of this title, which require the President to provide for the support and coordination of an interagency marine research program to understand and respond to the interactions of humans and the marine environment.

#### **Section 403. Interagency Marine Research Program.**

This section creates the interagency marine research program through the Office of Science and Technology Policy and requires that a plan be developed to identify the goals and priorities for the program and the activities needed to fulfill the goals. Relevant Federal programs and activities should be identified and estimated federal funding should be included in the plan.

#### **Section 404. National Oceanic and Atmospheric Administration Marine Research Initiative.**

This section authorizes the Department of Commerce to establish a Marine Research Initiative to coordinate and implement activities of NOAA. The Initiative should provide support for one or more NOAA national centers of excellence, research grants, and scholars and traineeships. The centers of excellence, the competitive peer-reviewed extramural research grants, financial assistance to distinguished scholars, and traineeships for pre- and post-doctorial students are to help NOAA fulfill its mission and role in exploring the interaction of humans and the marine environment.

**Section 405. Authorization of Appropriations.**

This section authorizes \$8 million in appropriations for the NOAA Marine Research Initiative for fiscal years 2005 through 2008.

**Title V. Ocean and Coastal Observation Systems.**

**Section 501. Short Title.**

The short title of this title is the “Ocean and Coastal Observation Systems Act.”

**Section 502. Purposes.**

This section describes the purposes of this title, which include providing for the development and maintenance of an integrated system for ocean and coastal observations and the implementation of a related system for the management of observation data and information.

**Section 503. Integrated Ocean and Coastal Observing System.**

This section establishes, through NOAA, an integrated system of ocean and coastal monitoring and data analysis, communications, and management. The goals of the system include: improving weather forecasts and disaster warnings; enhancing understanding of global change and coastal and global ocean systems; and increasing public awareness of these issues. This section establishes an interagency Joint Operations Center, led by NOAA, to manage the technologies and data communications, implement the standards, and promote the integration necessary to deploy and support the ocean and coastal observing system. The section also allows for regional associations and pilot projects that can contribute to observing system.

**Section 504. Interagency Financing.**

This section authorizes the agencies included in the Joint Operations Center to participate in interagency financing for carrying out the activities described in this title.

**Section 505. Authorization of Appropriations.**

This section authorizes such sums as necessary in appropriations to NOAA, the National Science Foundation, the National Aeronautics and Space Administration, and other Federal agencies as appropriate for the ocean and coastal observing system.

**Title VI. Abrupt Climate Change.**

**Section 601. Short Title.**

The short title of this title is the “Abrupt Climate Change Research Act.”

**Section 602. Abrupt Climate Change Research Program.**

This section establishes within NOAA an abrupt climate change research program for improving the understanding of abrupt climate change mechanisms and paleoclimate indicators. The section defines abrupt climate change as a change in climate that occurs so rapidly or unexpectedly that human or natural systems have difficulty adapting to the climate as changed.

**Section 603. Authorization of Appropriations.**

This section authorizes such sums as necessary in appropriations for the research program outlined in this title.

**Title VII. United States Weather Research Program.**

**Section 701. Short Title.**

The short title of this title is the “United States Weather Research Program Act of 2004.”

**Section 702. Program Focus.**

This section outlines the focus of the Weather Research Program established under section 108 of the National Oceanic and Atmospheric Administration Authorization Act of 1992. The program should focus on research in extreme weather conditions, such as hurricanes and floods, and should work toward accelerating improvements in weather forecasting. This section also authorizes the program to make grants to universities and other research organizations.

**Section 703. Program Research Priorities.**

This section defines the specific research priorities of the Weather Research Program within the following categories; hurricanes, heavy precipitation, floods, two-to-fourteen day weather forecasting, societal and economic impacts and improved communication related to adverse weather, and testing research concepts in real-life environments.

**Section 704. Interagency Planning and Process.**

This section establishes NOAA as the lead for the Weather Research Program and requires the agency to work with other Federal agencies to develop a five-year plan which outlined program goals and describes weather information needs, methods for disseminating weather information, and practices for transferring results into forecasting operations.

**Section 705. Reporting Requirements.**

This section requires NOAA to provide a report on the Weather Research Program to Congress one year after enactment of this Act and every five years thereafter. The report should include the most recent five-year plan developed pursuant to section 704 of this title, descriptions of changes to the plan, and a detailed assessment of the progress made toward the program goals.

**Section 706. Authorization of Appropriations.**

This section authorizes such sums as necessary in appropriations to the Office of Atmospheric Research within NOAA for the research program outlined in this title. At least 50 percent of these funds shall be for competitive, peer-reviewed grants to or contracts with institutions of higher education.